gress has asserted its power over atomic decisions; the President has complained that the committee on Un-American Activities renders it difficult to find competent personnel; the Federation of Atomic Scientists has been all but silenced; the conspiracy between the military and the banks to surrender the incalculable riches of atomic energy into private hands progresses nicely.

Mr. De Voto declares: "There is a growing suspicion, which a lot of us would like aired, that the generals and admirals are demanding and being accorded the right to determine the political (and what other?) opinions of the scientists whose salaries they are paying. If they are not making that demand now, we can be quite sure they will be tomorrow."

Dr. Edward U. Condon, head of the United States Bureau of Standards, reveals that one of the charges made against him was that "you have been highly critical of the older ideas in physics," and goes on to warn that "Anti-intellectualism precedes the totalitarian pusch, and anti-intellectualism is on the upswing here."

How goes the infliction of censorship upon art? It goes well. Representative George A. Dondero of Michigan has addressed Congress to the extent of ten columns in the Congressional Record on the subject of "Communism in the Heart of American Art—What to Do About It." Mr. Dondero was inflamed by a Gallery on Wheels—an art exhibit for the benefit of the men in veterans hospitals, to which 28 artists had contributed their work.

The Congressman cited fifteen of the artists as Communists or sympathizers, and went into the political records of thirteen of them. Important among the charges he made was support of Mr. Henry A. Wallace's candidacy. Declaring that "the art of the Communist and the Marxist is the art of perversion," he denounced the contributors as ". . . radicals all . . . explaining their theories to an audience who could not get away from them . . . They had a great opportunity not only to spread propaganda, but to engage in espionage." One important art gallery also came under Mr. Dondero's fire, which culminated in a demand for "a major investigation on the part of a competent governmental agency" and, while disavowing any intent of censorship, demanded "directional supervision" of art critics by their superiors.

Mr. Arthur Millier, art editor of the Los Angeles Times states that the Congressman's attacks "have resulted in the return of paintings by named artists to New York art dealers, the loss of a mural commission and the expulsion of at least one well-known artist, a National Academician, from a conservative artists' club." He also reports that "the reviews of one New York critic, respected by her collegues, are reportedly being personally edited by her publisher . . ."

Presumably the baiting of modern American art would not trouble President Truman, who has participated in the sport himself; nor the State Department which, under Secretary Marshall, abjectly withdrew its traveling show of modern American artists at the first breath of "conservative" criticism and sold it as war surplus.

How goes the campaign against free inquiry in schools and universities? It goes extremely well. The roll call of professors purged during 1948: Dr. Clarence R. Athern, professor of philosophy and social ethics, Lycoming College; Professor Daniel D. Ashkenas, University of Miami; Professor James Barfoot, University of Georgia; Professor Lyman R. Bradley, head of the German department, New York University; Professor Joseph Butterworth, associate in English, University of Washington; Professor Leonard Choen Jr., University of Miami; Professor Charles G. Davis, University of Miami; Professor Ralph H. Gundlach, associate in psychology, University of Washington; Dr. Richard G. Morgan, Curator of the Ohio State Museum; Mr. Clyde Miller of Teachers College, Columbia University; Professor Luther K. McNair, Dean of Lyndon State Teachers College; Professor Herbert J. Phillips, assistant in philosophy, University of Washington; Dr. George Parker, professor of Bible and philosophy, Methodist Evansville College; Professor Ralph Spitzer, University of Oregon, Professor Don West of Oglethorpe.

Charges against these men ranged from stating under oath they were Communists and being in contempt of the Committee on Un-American Activities to supporting Mr. Wallace for the presidency and running for the governorship of Georgia.

But the formal leaders of American education have gone even farther toward restricting academic freedom. They have resolved to save their house from the arsonists of the Un-American Activities committee by setting fire to it themselves. In the recent report of the National Educational Association and the American Association of School Administrators—a synopsis of which was overwhelmingly approved at the NEA convention—they have not only barred Communists from their faculties; they have thoughtfully handed down a plan for a complete renovation of the American mind.

The report was predicated upon the assumption that "the cold war will continue for many years" and therefore requires a "basic psychological reorientation for the American people as a whole." Admitting that "it is deeply patriotic to attempt to protect one's country and one's fellow citizens from the calamaties of war" it nevertheless points out that "in the years just ahead it will not always be easy to teach such things as these in American schools." However "the schools of the United States will certainly be expected and required to continue their work in developing strong individual national loyalties" which inevitably will reveal "the need for healthy

young people to wear uniforms and man machines . . ." The report exhorts educators to work toward that time when education shall deserve to receive popular support "as an instrument of national policy."

Education, hitherto presumed to consist of free inquiry into the nature of truth, thus becomes merely an "instrument" of whatever policy the nation momentarily may pursue. That policy, determined outside the university and being on its own ipse dixit right, obviously cannot be subject to free inquiry. When policy has been made, inquiry ceases. National policy is truth, truth is national policy. It cannot be otherwise.

The report was signed by twenty leading educators, among them that politico-military pedagogue, General Dwight D. Eisenhower, and Dr. James B. Conant of Harvard, who immediately afterward found himself in a preposterous situation when the author of the Maryland Loyalty Bills—later declared unconstitutional—demanded that since Dr. Conant had pledged himself to bar Communists from the university in the future, he discharge those already employed. Dr. Conant replied with a resounding peroration against faculty witch hunts, but logic did not abide with him. He retired to the same corner into which Mr. Ernst knocked Mr. Schlesinger, there to receive unguents from the "partial virgin" who has made of that place her domain.

We have retreated almost the full distance from President Roosevelt's "No group and no government can properly prescribe precisely what should constitute the body of knowledge with which true education is concerned. The truth is found where men are free to pursue it" to William Jennings Bryan's "No teacher should be allowed on the faculty of any American University unless he is a Christian."

There are, however, still men in the academic world who speak out bravely. Dr. Robert B. Pettengill of the Teaching Institute of Economics, University of Southern California, writes in the Los Angeles Times: "The fear of being accused of heresy causes professors to lean over backward to avoid teaching anything which might make them suspect. Impartiality is no longer safe. Partisanship on the 'right' side is the way to gain promotion. And those in the pay of approved groups or dependent upon their favor will continue as now to violate the standards of free inquiry and free teaching in the name of which you would purge Communists."

Dr. Robert M. Hutchins, chancellor of the University of Chicago, carried the issue boldly to the Illinois Subversive Activities Commission. Pressed to admit that Communists were traitors upon the evidence that President Truman had called them such, Mr. Hutchins replied: "You will forgive me for saying there is reason why we should not model our vocabularies on the President's." While expressing his opposition to Communism, he went on to say that "the University of Chicago does not believe in the doctrine of guilt by association. . . As is well known, there is a Communist club among the students of the university. Eleven students belong to it. The club has not sought to subvert the government of this state. Its members claim they are interested in studying Communism, and some of them, perhaps all of them, may be sympathetic towards Communism. But the study of Communism is not a subversive activity."

Professor Dwight E. Dumond of the University of Michigan concludes: "What we must say is: that until every Teachers Oath law is repealed; and every Board of Regents is told that it cannot interfere with the inalienable rights of free discussion by faculty and students, in the classroom and out, on the campus and off. . . . man's eternal fight for freedom is dangerously compromised."

Mr. Dumond does not speak only for himself. In those universities where freedom of academic opinion is an established custom, educators are speaking out boldly. When the Board of Regents of the University of California recently prescribed a non-Communist oath, the faculty academic senate at Berkeley, according to the U.C.L.A. Bruin, rejected the proposal by a vote of "approximately 700 to one," while the same body of the university in Los Angeles voted a unanimous no. The issue still remains to be fought out, but at the University of California it does not go by default.

Mr. De Voto understands such matters. He is no Communist. He is not sympathetic to Communism. He is, if I read his Harper's article right, a convinced opponent of Communism and a formidable one. But he understands a fight and he is hopelessly addicted to logic. Speaking of those university heads who, announcing their intention to resist inquisition, simultaneously agreed to ban Communists, he says:

". . . they have already lost the battle of the outposts, and have lost it by voluntarily retreating from a position of great strength. . . If a college is to protect the freedom by which alone it exists in the tradition of democratic education, it has got to run the risk. The full risk." And the full risk, adds Mr. De Voto, is allowing Communists on the faculty.

There is, indeed, no other stand to be made. Either the fight is carried forward without compromise—in the civil services, in private industry, in the arts, the sciences, the church, the universities—or it will not effectively be made at all. The pastel feints of a Conant or a Schlesinger, illogical as a flight of fleas, are worse than no fight at all. They are mere quarrels, always attended by disaster, and their

creamy contradictions bring embarrassment to those who must clean up the mess.

The fight has already begun. It has been going on for two years. As of today it goes badly. If you are engaged in any work which may be interpreted by any Congressman as dealing with the "molding of public opinion"; if you are involved with anything which is—or is capable of being—"a potent medium of propaganda", or which can "influence the minds of millions"; or if by "authorship" you "vitally influence" anything which may be "seen by millions", you are subject to every compulsion he may wish to put upon you.

That is the law as it stands in the case of the Hollywood Ten. It is the law as it applies to you. Only the Supreme Court can reverse this judgment. The Court has been tragically ravaged by the death of two of its ablest members, Justices Murphy and Rutledge. It is a Court the temper of which may have changed materially in the past two months.

While it is true, as Mr. William Seagle remarks in his Men of Law, that "a man cannot change a lifetime of habits of partisanship by taking the judicial oath. The past is always an entangling alliance"—what Justice Oliver Wendell Holmes said is also true:

"The felt necessities of the time, the prevalent moral and political theories, intuitions of public policy, avowed or unconscious, even the prejudices which judges share with their fellow men, have had a good deal more to do than the syllogism in determining the rules by which men should be governed."

If the fight is to be won we must therefore change "the prevalent moral and political theories" and the "intuitions of public policy" which may influence the Court. Here is a task which calls for more than stately memoranda or measured speech unheard beyond the cloister. It calls for crying out in the streets. We are witnessing the murder of a tradition, and when murder is going on it is more honorable to jostle angrily in public than to appear as witness at the inquest.

Franklin Delano Roosevelt would have thundered out against the treachery afoot and destroyed it. Those around him would have thundered too. But not the least among the late President's talents was his remarkable ability to make his associates appear to be men—a piece of wizardry no one has been able to bring off since. Those who were men in their own right still remain what they were. Mr. Henry Wallace, Mr. Harold L. Ickes, Dr. Rexford Guy Tugwell, Mr. Archibald MacLeish—these and certain others, while differing among themselves, have not felt obliged to repudiate those principles which animated their services to the Roosevelt administration. But most of the late president's companions, deprived of courage and

even of identity by his death, hang on in a pitiable state of suspension, "half indoors, half out of doors," sniffing every breeze that blows and unwilling to fight for anything but their share of the toad.

We shall have to do without these plastic warriors in the campaign ahead. We shall have to depend upon our ability to summon from its slumber the immense devotion to Constitutional government which still abides with the American people. We shall have to reassert the dignity of the intellect. We shall have to reestablish the pleasures of reason. And in the course of it we shall have to rescue those "partial virgins" of the mind from the low resorts into which they have fallen and restore them to the house of their fathers.

It can be done. There are resolute men and women in the arts, the sciences, the professions and the clergy if only they be heard; and there are determined men and women by the millions outside. The moral climate of a nation can be changed overnight if the crisis be great enough, the will strong, the truth known.

But if it should occur in this battle of the mind against encroaching and oppressive law that an occasional Communist appears upon the lists, he must be defended too. Not with the high-piping invective of a Schlesinger, not while calling him a scoundrel worthy of hell's own damnation, for if you defend him in this manner your case is fatally weakened. If, because of the political labels attached to men, you have lost all capacity to judge them by their words and acts; if, in brief, you believe a Communist to be a scoundrel per se, then you cannot defend him. But by the bitter necessities of history and of logic, neither can you defend yourself.

Adolph Hitler said: "Bismark told us that liberalism was the pacemaker of Social Democracy. I need not say here that Social Democracy is the pace-maker of Communism." Similarly Mr. J. Parnell Thomas equates "New Dealism" with Communism.

The legal principles which protect one against the force of the state protect all. If a Communist comes first under attack and is overwhelmed, the breach opened by his fall becomes an avenue for the advance of the enemy with all his increased prestige upon you. You need not agree with the Communist while you engage in his and your common defense. You may, indeed, oppose him with every honorable weapon in your arsenal, dissociate yourself from his theories and repudiate his final objectives. But defend him you must, for his defeat in the Constitutional battle involves the overturn of principles which thus far have stood as our principal barrier, short of bloodshed, against fascism.

The case of the Hollywood Ten is not the first instance of a challenge offered to the Committee on Un-American Affairs. Mr. Eugene Dennis, General Secretary of the Communist Party; Mr. Rich-